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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,834	11/06/2001	Ying Chen	JP920000293US1	6017

7590 05/25/2005
Douglas W. Cameron
Intellectual Property Law Dept.
IBM Corporation
P.O. Box 218
Yorktown Heights, NY 10598

EXAMINER

DETWILER, BRIAN J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,834

Applicant(s)

CHEN ET AL.

Examiner

Brian J. Detwiler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-16, 18 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-16, 18 and 20-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6, 8-13, 15, 16, 18, and 20-23 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,684,087 (Yu et al).

Referring to claims 1, 9, and 22, Yu discloses in column 7: lines 1-23 a method and system for providing map service information on a server for a user device that has user input capabilities. Yu discloses in column 7: line 57 through column 8: line 17 that the mobile device generates and transmits a request to fetch an item of interest from a server. The steps of generating and transmitting the request for an item of interest must inherently include: receiving a user input command to designate the item of interest (map service information), transmitting the received user input command to a command processing means within the user device, interpreting the user input command, and transmitting the interpreted user input command to the server. In response to the request, Yu discloses in column 8: lines 18-31 that map service information is provided on the server for the user device including service mapping parameters correlated for the input capabilities of the user input device. Yu explains in column 7: line 66 through column 8: line 7 that the request includes a device identification that identifies the device. In column 6: lines 30-58, Yu discloses that the device identification is linked to device

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parameters of the user device, which include the user input mechanism associated with the user device. Yu further discloses in column 7: lines 1-23 that the map service information is preprocessed at the server with the parameters of the user device. Accordingly, the map service information is provided on the basis of the user input command transmitted to the server.

Referring to claim 2, Yu discloses in column 6: lines 30-67 a database of user data, which is read when interpreting the user input command.

Referring to claim 3, the user input command must inherently be stored temporarily while the device identification is compared with values in the database of user data so that the appropriate device parameters can be retrieved.

Referring to claim 4, Yu discloses in column 6: lines 26-67 that the server manages the database of user data. Accordingly, user accounts are added, deleted, and modified by the server.

Referring to claim 6, Yu discloses in column 6: lines 30-58 that the user data of the database comprises a user identifier, the type of user device, and service mapping parameters.

Referring to claim 8, Yu discloses in column 8: lines 18-32 that the user input device comprises a keypad on phone. A user can further input commands by pressing buttons on the keypad.

Referring to claim 10, the command processing means discussed above must inherently comprise an interpreter means for interpreting the input command. Without an interpreter, the input command could not be forwarded to the server as a request for an item of interest including the necessary elements as disclosed in column 7: line 66 through column 8: line 7.

Referring to claim 11, the user input command must inherently be stored temporarily on the server while the device identification is compared with values in the database of user data so that the appropriate device parameters can be retrieved.

Referring to claim 12, Yu discloses in column 6: lines 30-67 a database of user data, which is read when interpreting the user input command.

Referring to claims 13 and 15, Yu discloses in column 6: lines 26-67 that the server manages the database of user data. Accordingly, user accounts are added, deleted, and modified by the server.

Referring to claim 16, Yu discloses in column 6: lines 30-58 that the user data of the database comprises a user identifier, the type of user device, and service mapping parameters.

Referring to claim 18, Yu discloses in Figure 1 that a system in accordance with the disclosed invention comprises a personal computer [110], which has a QWERTY keyboard.

Referring to claims 20 and 21, Yu discloses in column 3: lines 53-60 that the user device can be a mobile phone or PDA.

Referring to claim 23, Yu discloses in column 4: lines 20-45 that the user device is a phone form which commands can be sent by pressing buttons on a keypad of said phone.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,684,087 (Yu et al) as applied to claims 2 and 13 above and further in view of U.S. Patent No. 6,782,253 (Shteyn et al).

Referring to claims 5 and 14, Yu fails to specifically disclose that the user data can be modified by the user device. Shteyn, however, discloses in column 10: line 46 through column 11: line 15 a system in which a user can initiate a change in preferences or profiles that are stored in a remote database via a user device. Shteyn explains in column 11: lines 1-7 that users may typically want to access several sets of profile information according to the user's activity (e.g. one group of settings might be for work while another set might be for home). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the user data with the user device as taught by Shteyn in combination with the teachings of Yu. Doing so would have been advantageous because it would have allowed users to switch between several sets of preference or profile information as suggested by Shteyn.

Response to Arguments

Applicant's arguments with respect to claims 1-6, 8-16, 18, and 20-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

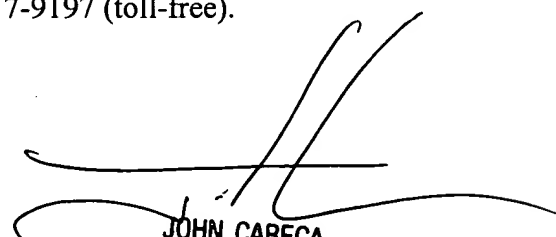
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Detwiler whose telephone number is 571-272-4049. The examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bjd


JOHN CABECA
SUPERVISORY PATENT EXAMINER
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